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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,854	06/14/2005	Andreas Kummet	WI.2247 PCT-US	5733

7590 04/23/2007
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EXAMINER

CULLER, JILL E

ART UNIT	PAPER NUMBER
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2854

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/538,854

Applicant(s)

KUMMET, ANDREAS

Examiner

Jill E. Culler

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 70-133 is/are pending in the application.
- 4a) Of the above claim(s) 90-110, 117, 118 and 124-133 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 70-84, 86, 87, 111-116 and 119-123 is/are rejected.
- 7) ☒ Claim(s) 85, 88 and 89 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 20050614.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I: Claims 70-89, 111-116 and 119-123 in the reply filed on January 23, 2007 is acknowledged. Claims 90-110, 117-118 and 124-133 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 70-84, 86-87, 111, 113-114, 116, 119-120 and 122-123 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,635,550 to Brands et al.

With respect to claims 70 and 74-76, Brands et al. teaches a printing blanket unit for a printing blanket cylinder, 16, of a printing press comprising: a dimensionally stable support plate, 28, including a plate exterior surface with leading and trailing plate ends, 30, 31, see column 3, lines 8-43; a printing blanket, 40, fastened on said plate exterior surface and having printing blanket ends, 42, 43, spaced apart in a longitudinal direction of said printing blanket, and a printing blanket exterior surface, see column 4, lines 19-39; and a filler material, 37, on at least a portion of said support plate and being

embodied as a support element, said filler material engaging at least one end of said printing blanket and extending radially to at least said printing blanket exterior surface and extending from said at least one of said printing blanket ends in said longitudinal direction of said printing blanket. See column 3, lines 44-65 and Fig. 2.

Brands et al. does not explicitly teach that the length of the extension is greater than 0.1 mm, greater than 0.4 mm, less than 2 mm or less than 5 mm.

However, one having ordinary skill in the art at the time of the invention would recognize that the optimum length of the extension of the filler material in the longitudinal direction of the printing blanket would vary significantly dependent upon the printing application in which the blanket is to be used and therefore it would have been obvious to one having ordinary skill in the art to determine the optimum length through routine experimentation.

With respect to claim 71, Brands et al. teaches at least one folded end leg on at least one end of said support plate and including a fold zone at a juncture of said support plate and said end legs, said filler material being arranged at least partially on said fold zone at said at least one folded end leg. See column 3, lines 31-56 and Fig. 2.

With respect to claims 72-73, Brands et al. teaches folded end legs at each of said support plate ends wherein said filler material is located on both of said folded zones of both of said folded end legs. See column 3, lines 31-56 and Fig. 2.

With respect to claim 77, Brands et al. teaches said filler material has a filler material thickness and said printing blanket has a printing blanket thickness which is less than said filler material thickness. See Fig. 2.

With respect to claim 78, Brands et al. teaches said at least one folded end leg defines an acute angle with said support plate. See column 3, lines 31-56 and Fig. 2.

With respect to claim 79, Brands et al. teaches said at least one folded end leg is arranged at said leading end of said support plate of said printing blanket unit. See column 3, lines 31-56 and Fig. 2.

With respect to claims 80-82, Brands et al. does not explicitly teach that said folded end leg at said trailing end of said support plate forms an opening angle of between 45 degrees and 150 degrees, between 80 degrees and 100 degrees, or between 120 degrees and 150 degrees with said support plate.

However, one having ordinary skill in the art at the time of the invention would recognize that the optimum opening angle of the folded end leg with the support plate would vary significantly dependent upon the printing application in which the blanket is to be used and therefore it would have been obvious to one having ordinary skill in the art to determine the optimum angle through routine experimentation.

With respect to claim 83, Brands et al. teaches said filler material extends at least partially past said fold zone on said at least one folded end leg. See column 3, lines 31-56 and Fig. 2.

With respect to claim 84, Brands et al. teaches said filler material extends in said longitudinal direction of said printing blanket at a virtual extension of said printing blanket exterior surface. See column 3, lines 44-65 and Fig. 2.

With respect to claim 86, Brands et al. teaches said filler material engages both of said ends of said printing blanket. See column 3, lines 44-65 and Fig. 2.

With respect to claim 87, Brands et al. teaches said filler material extends around both of said fold zones. See column 3, lines 44-65 and Fig. 2.

With respect to claim 111, Brands et al., teaches said support plate is metal. See column 3, lines 25-28.

With respect to claim 113, Brands et al. teaches said filler material is one piece. See column 3, lines 44-65 and Fig. 2.

With respect to claim 114, Brands et al. teaches said printing blanket is material different from said filler material. See column 3, lines 44-65 and Fig. 2.

Claim 116 is rejected with claim 70, from which it depends, as it adds nothing to the structure of the apparatus.

With respect to claim 119, Brands et al. teaches a forme cylinder in contact with said printing blanket unit on the printing blanket cylinder. See column 2, lines 55-64 and Fig. 1.

With respect to claim 120, Brands et al. teaches at least one printing plate on the forme cylinder. See column 2, lines 55-64 and Fig. 1.

With respect to claim 122, Brands et al. teaches said filler material and said printing plate mutually support each other. See column 3, line 57 - column 4, line 8 and Fig. 2.

With respect to claim 123, Brands et al. teaches said printing blanket is on top of said filler material. See column 3, lines 44-65 and Fig. 2.

4. Claim 112 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brands et al. in view of U.S. Patent No. 4,452,143 to Heinemann et al.

With respect to claim 112, Brands et al. teaches all that is claimed, as in the above rejection of claims 70-84, 86-87, 111, 113-114, 116, 119-120 and 122-123, except that said printing blanket is multi-layered.

Heinemann et al. teaches a printing blanket unit having a multi-layered printing blanket. See column 6, lines 3-31 and Fig. 1.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Brands et al. to have a multi-layered printing blanket, as taught by Heinemann et al. in order to provide better printing characteristics for the blanket.

5. Claim 115 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brands et al. in view of U.S. Patent No. 5,351,615 to Kobler et al.

With respect to claim 112, Brands et al. teaches all that is claimed, as in the above rejection of claims 70-84, 86-87, 111, 113-114, 116, 119-120 and 122-123, except that said printing blanket is the same material as said filler material.

Kobler et al. teaches a printing blanket unit in which the printing blanket is the same material as a filler material. See column 3, lines 60-68.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Brands et al. to have the filler material the same

Art Unit: 2854

as the blanket material, as taught by Kobler et al. so that the filler will have the same properties as the blanket.

6. Claim 121 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brands et al. in view of U.S. Patent No. 5,090,319 to Weber et al.

With respect to claim 112, Brands et al. teaches all that is claimed, as in the above rejection of claims 70-84, 86-87, 111, 113-114, 116, 119-120 and 122-123, except for at least one interruption on a surface of said forme cylinder.

Weber et al. teaches a printing press having a printing blanket unit, 2, and a forme cylinder, 3, with at least one interruption on the surface. See column 3, lines 38-55 and Fig. 1.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the apparatus of Brands et al. to include an interruption on the surface of the forme cylinder, as taught by Weber et al. so that the printing plate can be attached in a convenient manner.

Allowable Subject Matter

7. Claims 85 and 88-89 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 4,742,769 to Zeller, U.S. Patent No. 4,907,508 to Patschorke, U.S. Patent No. 4,964,338 to Fantoni et al., U.S. Patent No. 5,178,069 to Junghans et al., and U.S. Patent No. 6,779,449 to Hoffmann et al. each teach an apparatus having apparent similarities to the claimed subject matter.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-F 10:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2854

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jec

Julie E. Celler
Patent Examiner